

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE VIVENDI UNIVERSAL, S.A.  
SECURITIES LITIGATION

02 Civ. 5571 (RJH/HBP)  
ECF CASE

IN RE VIVENDI UNIVERSAL, S.A. SECURITIES  
LITIGATION

This Memorandum of Law relates to:

07 Civ. 5742	07 Civ. 7370
07 Civ. 7775	07 Civ. 7776
07 Civ. 7778	07 Civ. 7779
07 Civ. 7863	07 Civ. 7803
07 Civ. 8208	07 Civ. 8156
07 Civ. 9229	07 Civ. 8830
07 Civ. 9593	07 Civ. 10578
07 Civ. 10954	07 Civ. 10995
07 Civ. 11092	07 Civ. 11305
07 Civ. 11483	07 Civ. 11484
07 Civ. 11485	07 Civ. 11628
08 Civ. 0024	08 Civ. 0116
08 Civ. 0117	08 Civ. 0418
08 Civ. 1111	08 Civ. 0950
08 Civ. 01973	08 Civ. 1938
08 Civ. 01983	08 Civ. 01974
08 Civ. 01985	08 Civ. 01975

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**NOTICE OF MOTION OF DEFENDANTS FOR SUMMARY JUDGMENT AGAINST  
INDIVIDUAL PLAINTIFFS FOR FAILURE TO ESTABLISH LOSS CAUSATION**

PLEASE TAKE NOTICE that, upon the Memorandum of Law, dated August 15, 2008, the Declaration of Harris M. Fischman, executed on August 15, 2008, with exhibits thereto, the Statement Pursuant to Civil Rule 56.1, and all prior pleadings and proceedings herein, Defendants Vivendi, S.A., Jean-Marie Messier and Guillaume Hannezo hereby move this Court, before Judge Richard J. Holwell, at the Courthouse, 500 Pearl Street, New York, New York, for summary judgment pursuant to Fed. R. Civ. P. 56(b) on claims brought by the

Plaintiffs in the above-captioned individual actions under Sections 11 and 12(a)(2) of the Securities Act of 1933, under Section 10(b) of The Securities and Exchange Act of 1934, and Rule 10b-5 promulgated thereunder, Section 18 of the Securities and Exchange Act of 1934, as well as claims for common law fraud and negligent misrepresentation, as set forth in more detail in the accompanying memorandum of law; and granting such other and further relief as the Court deems just and proper.

August 15, 2008.

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